Immigration and Refugee Board of Canada

Performance Report

For the period ending
March 31, 2016

The original version was signed by

The Honourable John McCallum
Minister of Immigration, Refugees and Citizenship

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represented by the Minister of Immigration, Refugees and Citizenship, 2016

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Immigration and Refugee Board of Canada website.[1]

This document is available in alternative formats upon request.

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Institutional Head's Message

The Immigration and Refugee Board of Canada (IRB) is an independent administrative tribunal entrusted by Parliament with resolving immigration and refugee cases efficiently, fairly and in accordance with the law. The IRB discharges its duties at arm's length from the Government of Canada, but is fully accountable to Parliament and to all Canadians.

The IRB carries out its work in an ever-changing environment in which shifting migration patterns, domestic legislative changes and other factors have an impact on the number of cases received and their complexity. Through the decisions and resolutions made by its four divisions, namely the Refugee Protection Division (RPD), the Refugee Appeal Division (RAD), the Immigration Division (ID) and the Immigration Appeal Division (IAD), the Board contributes directly to Canada's humanitarian traditions, the security of Canada and the quality of life of Canadians, as well as to the fulfillment of our international obligations. The Board achieved a high level of productivity in 2015–16, finalizing approximately 41,100 decisions. The Board also ensured a high level of quality and fairness in all its decisions and proceedings.

The Board continued to innovate and grow as it gained experience with the reformed refugee determination system. Innovative strategies were developed to reduce the average processing time for immigration appeals. The IRB worked with central agencies and portfolio organizations to ensure that the Board's operational context and critical needs were fully understood.

All divisions finalized more cases this year than in 2014–15. At the RPD, there were just under 15,400 finalizations and the median time to finalize these cases was 2.9 months, well below the four-month target. Despite these results, the RPD inventory grew to 12,400 as a result of a near 25-percent increase in intake over the year. The IRB reallocated more than $3 million internally to hire additional decision-makers and to help address this inventory and the gap between the RPD's capacity and intake levels. Work is also ongoing to secure additional funding to help resolve the remaining 5,800 legacy cases.

The RAD has matured throughout the year and its productivity grew. The Division resolved approximately 2,900 appeals, virtually matching intake. The Federal Court of Appeal recognized the quality of RAD decisions and the RAD continued to develop a robust adjudication strategy, fulfilling its important dual mandate to both correct errors at the RPD and develop consistent refugee jurisprudence in Canada.

The ID maintained a fast pace, meeting its targets to hear detention reviews (more than 14,000) within the legislated time limits and conducting admissibility hearings within six months in 93 percent of cases (target of 86 percent).

For the IAD, the contribution of innovative approaches made it possible to reduce its inventory by more than 1,100 appeals. The output to intake ratio for 2015–16 was above 120 percent.

The key to success in all four divisions is ensuring that we have sufficient numbers of decision-makers and staff in place in a timely fashion. Near-continuous recruitment is required in most of our divisions and a Governor-in-Council (GIC) decision-maker recruitment campaign launched in mid-2015 allowed the Minister to appoint 15 new decision-makers in early 2016.

Following the results of the 2014 Public Service Employee Survey, the IRB developed an action plan to address concerns raised by employees. The Quality Workplace Commitment initiative was put in place with the goal of redoubling efforts to ensure that each IRB employee and decision-maker benefits from a respectful and productive work environment that is free from harassment. The Office of Integrity, which I put in place more than a year ago, continued to play an important role in this respect; it reached out to employees across the country to promote the services offered by this office.

The IRB places a great deal of significance on its outreach and engagement program as a key element in its approach to consultation with the public and stakeholders. In 2015–16, it provided consistent and timely information to internal and external audiences and strengthened its engagement with key partners, stakeholders and the public, including bringing stakeholders together for consultations at meetings of the IRB's Consultative Committee on Practices and Procedures.

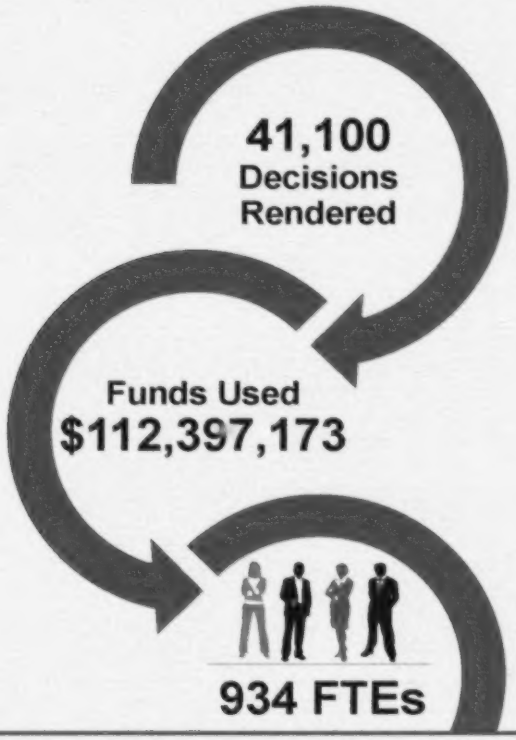
The Board continues to maintain a strong relationship with the United Nations High Commissioner for Refugees both in Canada and at its headquarters in Geneva, sharing information and best practices. The IRB also pursues an ongoing productive dialogue with numerous international partners on such issues as cooperation on asylum and international capacity building. In this way, the Board plays an important role in promoting Canada's values and humanitarian traditions both here in Canada and around the world.

I am proud of the work the IRB accomplished this past year and of the contribution made by our personnel across all internal services and divisions. I will keep promoting constructive teamwork as the Board responds to existing and new challenges in the coming year.

The original version was signed by

Mario Dion
Chairperson

Results Highlights



The IRB's Results Highlights

THE ORGANIZATION FOCUSED ON:

- **The success of the refugee determination process**
- **An effective response to intake and workload pressures across the divisions**
- **The three-year evaluation of the refugee determination system**
- **The implementation of several initiatives to ensure a healthier workplace (creation of the Office of Integrity, a management plan on the recommendations from the 2014 Public Service Employee Survey (PSES) and organization-wide training on values and ethics and creating a respectful and harassment-free workplace)**

2015–16 AT A GLANCE

- **A total of 41,100 cases were resolved**
- **18,500 refugee protection claims were referred and 15,400 were decided**
- **3,100 refugee appeals were filed and 2,900 refugee appeals were finalized**
- **2,000 admissibility hearings were finalized**
- **14,000 detention reviews were finalized**
- **5,300 immigration appeals were filed and 6,800 immigration appeals were finalized or stayed**

SECTION I
Organizational Overview

ORGANIZATIONAL PROFILE

Appropriate Minister: The Honourable John McCallum
Institutional Head: Mario Dion, Chairperson
Ministerial Portfolio: Immigration, Refugees and Citizenship
Enabling Instrument: *Immigration and Refugee Protection Act*[ii] (IRPA)
Year of Incorporation/Commencement: 1989

ORGANIZATIONAL CONTEXT

RAISON D'ÊTRE AND RESPONSIBILITIES

Mission

The mission of the Immigration and Refugee Board of Canada (IRB), on behalf of Canadians, is to resolve immigration and refugee cases efficiently, fairly and in accordance with the law.

Mandate

Refugee Protection Division (RPD)

- Decides claims for refugee protection
- Decides applications for vacation of refugee protection
- Decides applications for cessation of refugee protection
- Decides pre-removal risk assessments (PRRAs) (not yet in force; to come into force on a day or days fixed by order of the Governor in Council [GIC])

Refugee Appeal Division (RAD)

- Where the right of appeal is exercised, decides appeals from decisions of the RPD allowing or rejecting claims for refugee protection

Immigration Division (ID)

- Conducts admissibility hearings for foreign nationals or permanent residents who seek entry into Canada, or who are already in Canada and are alleged to be inadmissible
- Conducts detention reviews for foreign nationals or permanent residents who are detained for immigration reasons

Immigration Appeal Division (IAD)

- Decides appeals of family sponsorship applications refused by Immigration, Refugees and Citizenship Canada (IRCC)
- Decides appeals from certain removal orders made against permanent residents, Convention refugees and other protected persons, and holders of permanent resident visas
- Decides appeals by permanent residents in which an IRCC officer outside Canada has decided that they have not fulfilled their residency obligation
- Decides appeals by the Minister of Public Safety and Emergency Preparedness of ID decisions at admissibility hearings

Regional Operations

The IRB carries out its work in three regional offices located in Toronto (Central Region), Montréal (Eastern Region) and Vancouver (Western Region). The Central Region is responsible for Ontario, excluding Ottawa; the Eastern Region for Quebec, Ottawa and the Atlantic provinces; and the Western Region for the Western provinces and Northern territories. All four divisions hold hearings in these regions and are assisted by registry services and corporate support. The IRB also conducts hearings from its Calgary office. Hearings are also held in a small number of itinerant locations. The IRB's National Headquarters are located in Ottawa.

Administrative Justice

Through the work of each division, the IRB strives to deliver a simpler, more accessible and expeditious form of justice than that provided by the courts. The IRB applies the principles of administrative law, including those of natural justice, in its proceedings. Its decisions are rendered in accordance with the law, including the *Canadian Charter of Rights and Freedoms*. The IRB is committed to fairness in all aspects of its work. Each case is decided on its own merits by independent decision-makers. The Board respects the dignity and diversity of the individuals who appear before it and their unique and sometimes traumatic experiences.

Benefits for Canadians

Immigrants and refugees have always contributed significantly to Canada's growth and development. The IRB ensures continued benefits to Canadians in three important ways:

- In the resolution of refugee protection claims and refugee protection appeals, it ensures that Canada accepts those in need of protection in accordance with international obligations and Canadian law.
- Through admissibility hearings and detention reviews, it contributes to the integrity of our immigration system, balances the individual rights of foreign nationals and permanent residents against the safety and security of Canadians, and upholds Canada's reputation for justice and fairness.
- As an independent tribunal responsible for resolving sponsorship, removal order and residency obligation appeals, it helps to promote family reunification, ensures Canadians' safety and security, and safeguards the integrity of Canada's immigration system.

The IRB also contributes more broadly to the quality of life in Canada's communities by strengthening our country's social fabric and by reflecting and reinforcing the core values that are important to Canadians. These include respect for human rights, peace, security and the rule of law.

STRATEGIC OUTCOME AND PROGRAM ALIGNMENT ARCHITECTURE

Based on its legislated mandate and approved Program Alignment Architecture for the 2015–16 reporting period, the IRB has a single strategic outcome and four core programs that include responsibility for all tribunal decisions and resolutions. The fifth program, Internal Services, supports the first four and the strategic outcome.

1. **Strategic Outcome**: Resolve immigration and refugee cases before the Immigration and Refugee Board of Canada efficiently, fairly and in accordance with the law
    - **1.1 Program**: Refugee Protection
    - **1.2 Program**: Refugee Appeal
    - **1.3 Program**: Admissibility Hearings and Detention Reviews
    - **1.4 Program**: Immigration Appeal
    - **Internal Services**

OPERATING ENVIRONMENT AND RISK ANALYSIS

Key Risks

Risk	Risk Response Strategy	Link to the Organization's Programs
Meeting regulatory time limits	The RPD launched a number of initiatives in an effort to increase RPD finalizations, including staffing actions, efficiency pilots, expedited processing, and a refocused performance management strategy.	1.1 Refugee Protection
	The RAD pursued efficiencies through the transcript pilot project, redistributed workload between regions, and enhanced support services to decision-makers.	1.2 Refugee Appeal
Impact of centralization of common services on tribunal functions	Significant strides were made in the centralization of common services while particular attention was paid to maintaining tribunal quality. This modernization effort is ongoing but results support the downgrading of this risk.	1.1 Refugee Protection 1.2 Refugee Appeal 1.3 Admissibility Hearings and Detention Reviews 1.4 Immigration Appeal Internal Services

MEETING REGULATORY TIME LIMITS. Over the last year, the RPD increased its decision-maker capacity in order to ensure that hearings continue to be held within the legislated time limits. A selection process for RPD decision-makers was launched in September 2015 and resulted in over 30 additional decision-maker appointments made nationally. On other fronts, the RPD launched an expedited process for manifestly well-founded claims and applied it successfully to Syrian claims. Moreover, based on over two years of experience with the current system, the RPD refined its performance management framework to more closely align decision-maker capacity with workload pressures.

By the end of the fiscal year, the Federal Court of Appeal issued its decision clarifying the scope of the appeal before the RAD. Prior to this decision, the unsettled jurisprudence had posed operational challenges for the RAD in meeting its legislated time limit. The RAD's capacity was helped with two reappointments by the Government, but further appointments to bring the RAD to full complement are pending. A number of efficiency and quality measures were also implemented.

EXTERNAL SERVICE PROVIDERS. The IRB made significant progress in implementing the Government's change agenda with respect to the centralization of common services while maintaining the quality and responsiveness of its tribunal functions. Implementation, so far, includes the migration to the new pay centre and pay system, the new financial system, new information technology and information management processes and software, and Web renewal. There remains more to be done in this modernization effort, but the IRB is confident in a successful outcome and has downgraded this risk.

ORGANIZATIONAL PRIORITIES

Priority 1: Resolve cases in a timely manner while ensuring quality and fairness

Description

Public service staffing and GIC decision-maker recruitment were enhanced to increase our capacity to resolve cases in general and innovative strategies were developed to reduce the average processing time for immigration appeal cases.

Priority Type

Ongoing

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Programs
Development and implementation of a human resources strategy to increase decision-maker capacity and the timely resolution of cases and appeals (public service staffing and GIC decision-maker recruitment)	April 1, 2015	March 31, 2016	Ongoing	1.1 Refugee Protection 1.2 Refugee Appeal 1.4 Immigration Appeal
The IAD introduced case management changes to resolve more appeals earlier in its process	April 1, 2015	March 31, 2016	Ongoing	1.4 Immigration Appeal

Progress Toward the Priority

- The Board strove to achieve a high level of productivity and to render decisions within established performance targets.
- The Board reallocated resources to ensure the timely resolution of cases and appeals.
- The IRB worked to rebuild capacity in the IAD to address growing processing times and the inventory of appeals in that division.
- The Board continued to ensure that the quality and fairness of its proceedings were maintained.

Priority 2: Foster an adaptive and flexible organization that effectively manages its intake and workload

Description

The IRB demonstrated a commitment to remain an adaptive and flexible organization by fine-tuning its processes and by responding to evolving jurisprudence and fluctuating intake to help fulfill its mandate.

Priority Type

New

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Programs
The RAD continued to adapt to the Federal Court's guidance on application criteria and on the scope of appeals, which significantly impacted decision-makers' workload	April 1, 2015	Ongoing	On track	1.2 Refugee Appeal
The IRB commissioned a program evaluation of its refugee determination system as part of ongoing efforts to monitor and improve its delivery of the new system	April 1, 2015	March 31, 2016	Completed	1.1 Refugee Protection 1.2 Refugee Appeal

Progress Toward the Priority

- Adaptability and flexibility were critical to the IRB's success in fine-tuning its processes as it continued to gain experience with the reformed refugee determination system.
- The IRB sought to strengthen collaboration with portfolio organizations to enhance productivity and efficiency while safeguarding the Board's institutional independence.

Priority 3: Continue to build an organization that values its people and promotes management excellence

Description

This priority supports the IRB's organizational commitment to ensure that IRB employees and decision-makers continue to have the opportunity to work in a respectful and productive work environment that is free from harassment.

Priority Type

Ongoing

Key Supporting Initiatives

Planned Initiatives	Start Date	End Date	Status	Link to the Organization's Programs
The creation of the Office of Integrity	April 1, 2015	March 31, 2016	Completed	Internal Services
Comprehensive training on values and ethics and on creating a harassment-free workplace for all personnel	April 1, 2015	March 31, 2017	On track	Internal Services
The establishment and implementation of the Management Action Plan in response to the 2014 PSES recommendations	April 1, 2015	March 31, 2016	Completed	Internal Services
The Treasury Board of Canada Secretariat (TBS) funding policy changes made it possible to re-start the clock for term positions, thus increasing workforce stability	April 1, 2015	March 31, 2016	Completed	Internal Services

Progress Toward the Priority

- The IRB ensured the promotion of a supportive and healthy workplace and a productive and resilient workforce by continuing to put in place and operationalizing policies and procedures that support effective management of human resources and forward-thinking business planning.

SECTION II
Expenditure Overview

ACTUAL EXPENDITURES

BUDGETARY FINANCIAL RESOURCES (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
112,709,491	112,709,491	119,302,866	112,397,173	(312,318)

HUMAN RESOURCES (Full-Time Equivalents [FTEs])

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
975	934	(41)

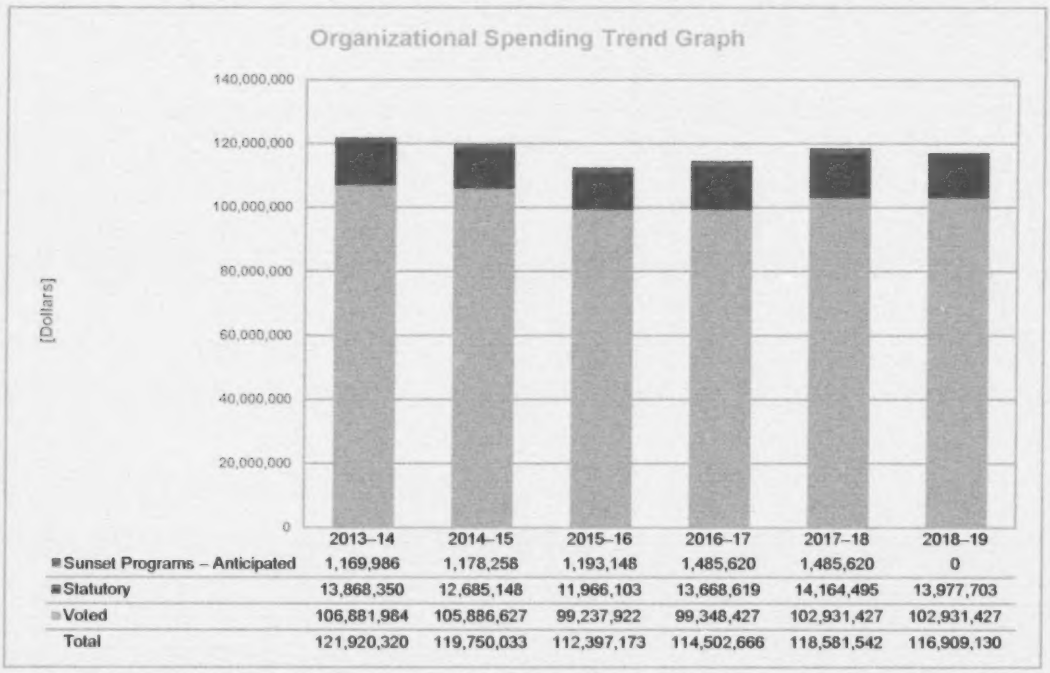
BUDGETARY PERFORMANCE SUMMARY

BUDGETARY PERFORMANCE SUMMARY FOR PROGRAMS AND INTERNAL SERVICES (dollars)

Programs and Internal Services	2015–16 Main Estimates	Planned Spending			2015–16 Total Authorities Available for Use	Actual Spending (authorities used)		
		2015–16	2016–17	2017–18		2015–16	2014–15	2013–14
Refugee Protection	46,343,210	46,343,210	42,860,946	46,939,822	45,608,416	41,540,255	49,291,278	55,762,477
Refugee Appeal	13,725,196	13,725,196	16,219,236	16,219,236	13,669,953	11,907,468	10,865,389	7,504,740
Admissibility Hearings and Detention Reviews	8,827,134	8,827,134	11,100,604	11,100,604	11,783,319	11,465,244	11,316,805	12,366,193
Immigration Appeal	15,099,168	15,099,168	15,718,195	15,718,195	16,321,443	15,889,895	14,863,181	12,516,921
Internal Services	28,714,783	28,714,783	28,603,685	28,603,685	31,919,735	31,594,311	33,413,380	33,769,989
TOTAL	112,709,491	112,709,491	114,502,666	118,581,542	119,302,866	112,397,173	119,750,033	121,920,320

Actual spending for the current year is in line with the 2015–16 Main Estimates. The large decrease in actual spending in comparison to last year is due to the fact that significant expenditures were made during 2014–15 for the revitalization of headquarters office space, preparatory work in anticipation of the transfer of the PRRA function and a one-time transition payment for implementing salary payments in arrears for the Government. Planned spending for 2017–18 includes funding associated with the transfer of the PRRA function to the IRB, which is to come at a day (or days) to be fixed by order of the GIC.

ORGANIZATIONAL SPENDING TREND



	2013–14	2014–15	2015–16	2016–17	2017–18	2018–19
Sunset Programs – Anticipated	1,169,986	1,178,258	1,193,148	1,485,620	1,485,620	0
Statutory	13,868,350	12,685,148	11,966,103	13,668,619	14,164,495	13,977,703
Voted	106,881,984	105,886,627	99,237,922	99,348,427	102,931,427	102,931,427
Total	121,920,320	119,750,033	112,397,173	114,502,666	118,581,542	116,909,130

Sunset Program spending relates to the processing of cases involving an application for the protection of information pursuant to section 86 of the IRPA; this funding is scheduled to end in 2017–18.

EXPENDITURES BY VOTE

For information on the IRB's organizational voted and statutory expenditures, consult the *Public Accounts of Canada 2016*.[iii]

ALIGNMENT OF SPENDING WITH THE WHOLE-OF-GOVERNMENT FRAMEWORK

ALIGNMENT OF 2015–16 ACTUAL SPENDING WITH THE WHOLE-OF-GOVERNMENT FRAMEWORK[iv] (dollars)

Programs	Spending Area	Government of Canada Outcome	2015–16 Actual Spending
1.1 Refugee Protection	International Affairs	A safe and secure world through international engagement	41,540,255
1.2 Refugee Appeal	International Affairs	A safe and secure world through international engagement	11,907,468
1.3 Admissibility Hearings and Detention Reviews	Social Affairs	A safe and secure Canada	11,465,244
1.4 Immigration Appeal	Social Affairs	A safe and secure Canada	15,889,895

TOTAL SPENDING BY SPENDING AREA (dollars)

Spending Area	Total Planned Spending	Total Actual Spending
Economic Affairs	0	0
Social Affairs	23,926,302	27,355,139
International Affairs	60,068,406	53,447,723
Government Affairs	0	0

FINANCIAL STATEMENTS AND FINANCIAL STATEMENTS HIGHLIGHTS

FINANCIAL STATEMENTS

The financial statements[v] can be found on the IRB's website.

FINANCIAL STATEMENTS HIGHLIGHTS

Condensed Statement of Operations (unaudited)

For the year ending March 31, 2016 (dollars)

Financial Information	2015–16 Planned Results	2015–16 Actual	2014–15 Actual	Difference (2015–16 actual minus 2015–16 planned)	Difference (2015–16 actual minus 2014–15 actual)
Total expenses	139,800,000	136,906,675	146,741,951	(2,893,325)	(9,835,276)
Total revenues	0	0	0	0	0
Net cost of operations before government funding and transfers	139,800,000	136,906,675	146,741,951	(2,893,325)	(9,835,276)

The actual total expenses of $136.9 million reflect a decrease of $9.8 million as compared with 2014–15. This is in part due to lower personnel costs (a decrease of $5.7 million), which correspond to a lower number of FTEs, the mix of positions staffed and the impact of a reduced liability for future severance benefits. The balance of decreased expenses reflects costs in 2014–15, largely for professional services, that were not incurred in 2015–16; they included resources for the revitalization of headquarters office space and preparatory work in anticipation of the transfer of the PRRA. The actual total expenses were lower than planned by $2.9 million as a result of lower personnel costs.

Condensed Statement of Financial Position (unaudited)

As at March 31, 2016 (dollars)

Financial Information	2015–16	2014–15	Difference (2015–16 minus 2014–15)
Total net liabilities	18,705,316	20,187,883	(1,482,567)
Total net financial assets	10,288,767	9,485,529	803,238
Organizational net debt	8,416,549	10,702,354	(2,285,805)
Total non-financial assets	7,394,954	10,573,533	(3,178,579)
Organizational net financial position	(1,021,595)	(128,821)	(892,774)

The total liabilities, as at the end of the year, were $18.7 million and were made up of accounts payable, accrued salaries, employees' future severance benefits and vacation pay liabilities. The decrease in liabilities is largely as a result of a reduced obligation for future severance benefits. The total financial assets as at the end of the year were $10.3 million and reflect amounts due from the Consolidated Revenue Fund and amounts in accounts receivable. The increase in financial assets reflects outstanding salary recoveries from other government departments arising from the movement of staff. Organizational net debt, of $8.4 million, is calculated as the difference between total net liabilities less net financial assets. The net debt indicator represents future funding requirements to pay for past transactions and events, and is one indicator of a

department's financial position. The total non-financial assets reflect the net book value of capital assets as at March 31 and have decreased as the assets are being amortized over their expected useful life and minimal new investments in capital were made in 2015–16.

SECTION III
Analysis of Programs and Internal Services

PROGRAM 1.1: REFUGEE PROTECTION

DESCRIPTION

The Refugee Protection Division (RPD) delivers the IRB's **Refugee Protection program**. It renders quality decisions and resolves cases in a timely manner regarding refugee protection claims made by persons in Canada, and pre-removal risk assessments of persons subject to a removal order.

Additional information on the RPD[xi] is available on the IRB's website.

PERFORMANCE ANALYSIS AND LESSONS LEARNED

With the reformed refugee determination system entering its third year of operation, the RPD continued to implement further operational adjustments to better align divisional resources to the procedural requirements introduced with legislated time limits to refugee protection hearings. Additionally, adjustments to assumptions made during the IRB's operational planning for refugee reform and a thorough assessment of the impacts of peak intake months on RPD timelines revealed a clear need for additional decision-makers. In response to the new evidence and analysis, the RPD hired over 30 new decisions-makers. Despite the increase in RPD capacity, higher-than-projected intake, alongside resource constraints, resulted in intake exceeding output.

The RPD also processed claims referred for re-determination from the Federal Court and from the RAD, as well as applications brought forward by the Minister to cease or vacate refugee protection. However, due to higher intake of new referrals, which are prioritized by the RPD in order to meet legislated time limits, as well as the resource constraints noted above, the ability to finalize other types of intake was limited during 2015–16.

Transitional provisions of the *Balanced Refugee Reform Act*, as amended by the *Protecting Canada's Immigration System Act*, permitted GIC-appointed RPD decision-makers who were still in mandate at the date of coming into force of the refugee reform provisions of those acts (i.e., December 15, 2012) to remain assigned to the RPD for the duration of their mandate. The transitional provisions also provided that they only had jurisdiction to hear and decide cases referred to the Division prior to December 15, 2012 (i.e., legacy cases). The mandates of those transitional decision-makers have now expired.

Reducing the inventory of pending legacy claims (those referred to the RPD prior to December 15, 2012) remains a key commitment of the IRB. However, the RPD focused its capacity on new referrals, which are subject to legislated time limits. As a result, minimal

capacity was available to process legacy cases. Despite these constraints, the RPD finalized 2,000 legacy claims in 2015–16. The RPD will continue to reduce the inventory of remaining legacy cases to the extent of its capacity.

The impartiality and adjudicative independence of the Division's decision-makers and considerations of natural justice and fairness remain paramount. Throughout 2015–16, the quality of RPD proceedings and decisions were supported by up-to-date country-of-origin information, ongoing professional development and a new performance management framework, as well as through the jurisprudence established by the RAD and the Federal Court.

BUDGETARY FINANCIAL RESOURCES (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
46,343,210	46,343,210	45,608,416	41,540,255	(4,802,955)

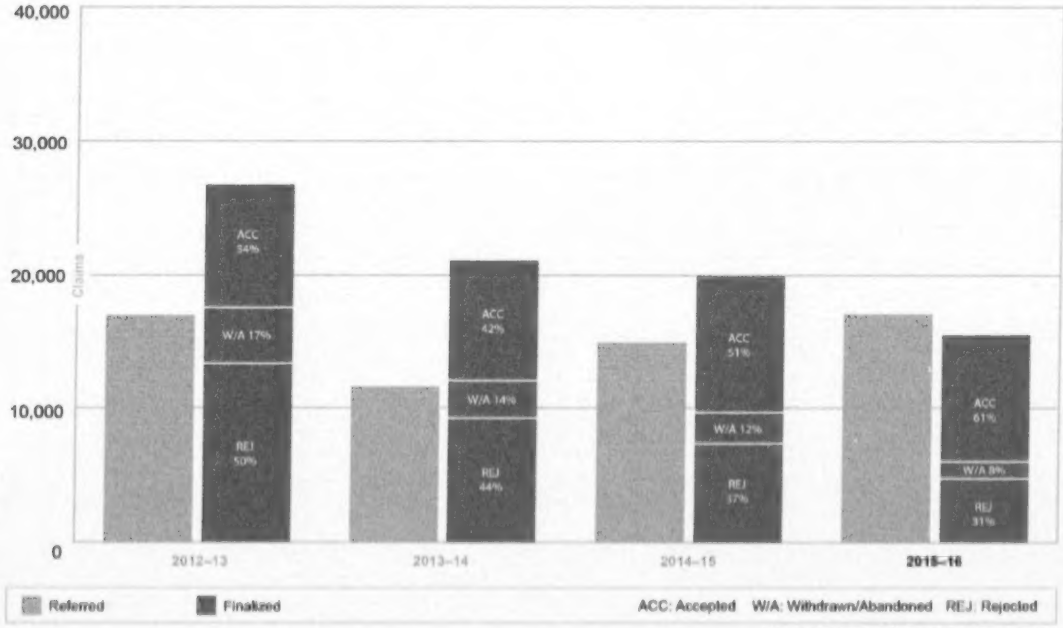
HUMAN RESOURCES (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
440	402	(38)

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Cases are resolved through proceedings that are focused and respectful and decisions that are transparent and intelligible	The average score of proceedings measured on a 1-to-3 scale for being respectful and focused, and of decisions that are clear, concise and complete	2.0	Data collection to resume in 2016–17
Timely decisions rendered	Median time to finalize a claim	4 months	2.9 months
	Percentage of claims finalized within 90 days of being expected to proceed	80%	72%

Refugee Protection Performance



Note: The totals may not be exactly 100% due to rounding.

PROGRAM 1.2: REFUGEE APPEAL

DESCRIPTION

The Refugee Appeal Division (RAD) delivers the IRB's **Refugee Appeal program**. It renders quality decisions and resolves cases in a timely manner regarding appeals against a decision made on a refugee protection claim of the Refugee Protection Division.

Additional information on the RAD[vi] is available on the IRB's website.

PERFORMANCE ANALYSIS AND LESSONS LEARNED

In its third year of operation, the RAD continued to establish best practices for the efficiency of its operations and the quality of its decisions. The number of appeals made to the RAD in 2015–16 increased by 23 percent compared to the previous fiscal year and finalizations increased by 42 percent over the same period. This was accomplished despite a decrease of decision-makers in the Division during the year. Strategic allocation of resources resulted in only 27 of its 49 positions filled in 2015–16. A considerable effort was made in 2015–16 to recruit new decision-makers and it is expected that some new decision-makers will be appointed in the new

fiscal year. In anticipation of the appointments, the RAD reviewed and revamped its new decision-maker training in conjunction with the IRB's Internal Services. Given the short history of the RAD, a new training curriculum was also needed to meet the needs of decision-makers.

Other significant achievements included the launching of the RAD Adjudication Strategy Committee, which is expected to play a major role in focusing RAD initiatives for greater productivity and decision-making consistency. The RAD continued to engage the stakeholder community in conducting regular information sessions to shape processes and tools and to help provide counsel and self-represented appellants with the means to file appeals that comply more closely with the *Refugee Appeal Division Rules* and the applicable time limits. The Division also worked on introducing the Appellant's Record form to improve accessibility and bring about consistency in appeals.

The RAD held regular professional development sessions and offered Federal Court jurisprudence updates for decision-makers and staff. Finally, the RAD worked closely with the stakeholders both regionally and nationally. The RAD participated in and presented information at annual professional developmental meetings. Regular meetings were held with the Office of the United Nations High Commissioner for Refugees with respect to their role of monitoring the refugee determination system.

BUDGETARY FINANCIAL RESOURCES (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
13,725,196	13,725,196	13,669,953	11,907,468	(1,817,728)

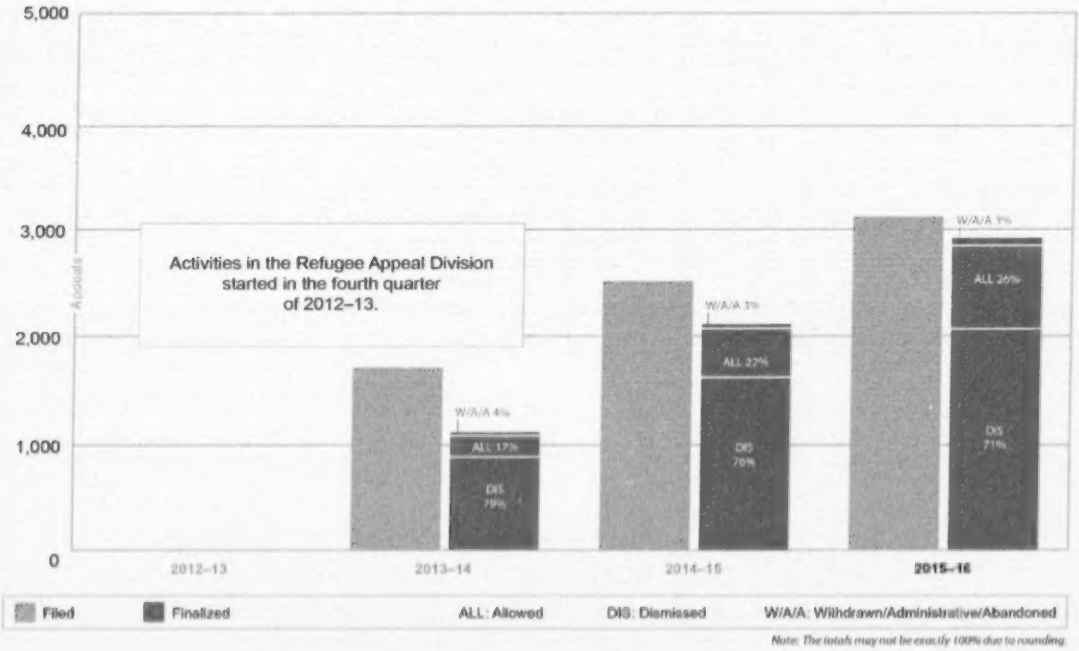
HUMAN RESOURCES (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
100	84	(16)

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Cases are resolved through proceedings that are focused and respectful and decisions that are transparent and intelligible	The average score of proceedings measured on a 1-to-3 scale for being respectful and focused, and of decisions that are clear, concise and complete	2.0	Data not collectible for 2015–16; will start in 2016–17
Timely decisions rendered	Percentage of decisions made within 90 days of the filing and perfecting of an appeal when there is no oral hearing	80%	53%

Refugee Appeal Performance



Note: The totals may not be exactly 100% due to rounding.

PROGRAM 1.3: ADMISSIBILITY HEARINGS AND DETENTION REVIEWS

DESCRIPTION

The Immigration Division (ID) delivers the **Admissibility Hearings and Detention Reviews program**. It renders quality decisions and resolves cases in a timely manner regarding foreign nationals or permanent residents who are alleged to be inadmissible to Canada pursuant to the *Immigration and Refugee Protection Act* (IRPA) and foreign nationals or permanent residents who are detained under IRPA authority.

Additional information on the ID[xiii] is available on the IRB's website.

PERFORMANCE ANALYSIS AND LESSONS LEARNED

During 2015–16, the ID continued to prioritize detention reviews to ensure that legislative requirements and fundamental rights were respected. At the same time, the Division processed an increased number of admissibility hearings in an efficient manner and finalized 93 percent of them within six months of their referral.

The Division continued to monitor its scheduling standards to ensure that predetermined productivity targets were being met. The proactive monitoring of case management practices allowed the ID to maintain reduced processing times and to minimize changes of date and time of proceedings, while continuing to resolve cases in a timely fashion. The Division continued to promote consistency in decision-making by identifying emerging issues, promoting open discussion among ID decision-makers on varying interpretations of the law, developing adjudicative tools and sustaining a learning environment for its decision-makers.

Through ongoing communication and effective management, the Division continued to promote a respectful work environment that builds on the individual skills and talents of its people.

BUDGETARY FINANCIAL RESOURCES (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
8,827,134	8,827,134	11,783,319	11,465,244	2,638,110

A significant portion of the variance between total authorities and Main Estimates relates to funding received during the year for cases requiring the protection of information pursuant to Division 9 of the IRPA.

HUMAN RESOURCES (FTEs)

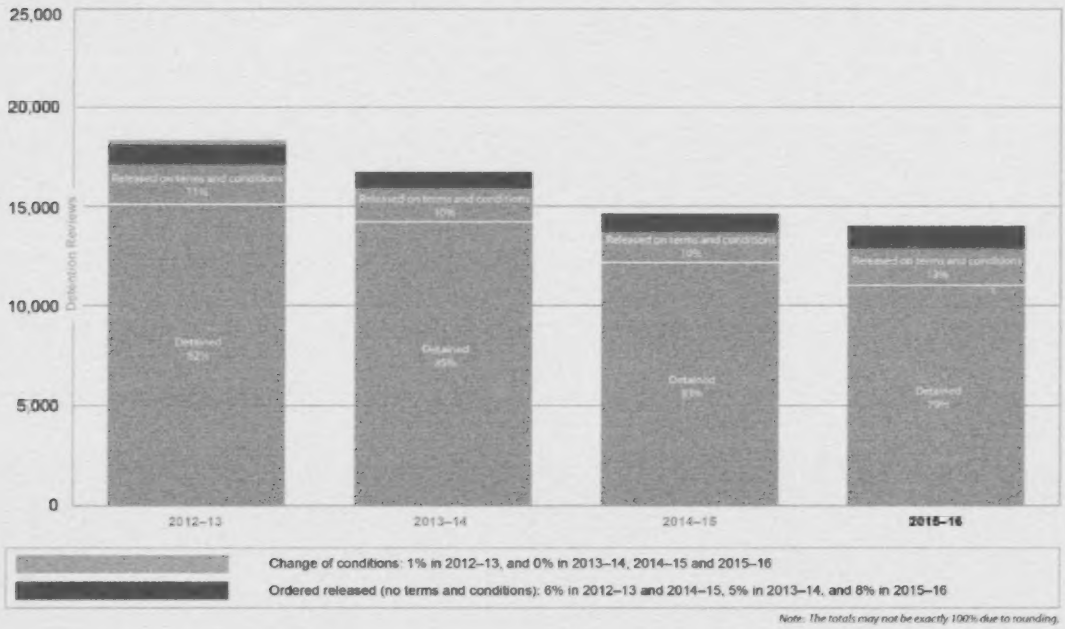
2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
75	86	11

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Cases are resolved through proceedings that are focused and respectful and decisions that are transparent and intelligible	The average score of proceedings measured on a 1-to-3 scale for being respectful and focused, and of decisions that are clear, concise and complete	2.0	2.3
Timely decisions rendered	Percentage of detention review cases concluded within statutory time limits	96%[1]	98%
	Percentage of admissibility hearings finalized within six months	86%[2]	93%

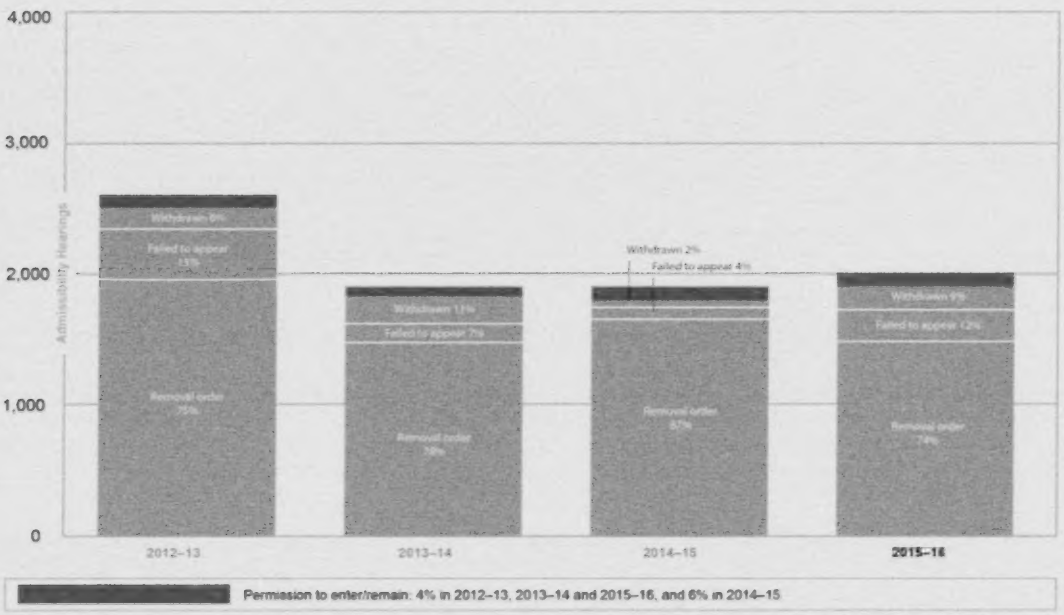
[1] Factors outside the IRB's control, such as prison lockdowns, impede the achievement of 100-percent compliance.
[2] Detention reviews take priority over admissibility hearings due to legislative time requirements. The number of referrals from the Canada Border Services Agency affects the capacity of the ID to conduct admissibility hearings.

Detention Reviews Performance



Note: The totals may not be exactly 100% due to rounding.

Admissibility Hearings Performance



Note: The totals may not be exactly 100% due to rounding.

PROGRAM 1.4: IMMIGRATION APPEAL

DESCRIPTION

The Immigration Appeal Division (IAD) delivers the **Immigration Appeal program**. It renders quality decisions and resolves cases in a timely manner regarding sponsorship applications refused by Immigration, Refugees and Citizenship Canada; certain removal orders made against permanent residents, refugees and other protected persons and holders of permanent resident visas; permanent residents outside of Canada who have been found not to have fulfilled their residency obligation; and appeals by the Minister of Public Safety and Emergency Preparedness against a decision of the Immigration Division on admissibility.

Additional information on the IAD[x] is available on the IRB's website.

PERFORMANCE ANALYSIS AND LESSONS LEARNED

In 2015–16, the IAD focused on the early resolution of appeals and continued to target a 50-percent resolution rate of appeals without a hearing, through alternative dispute resolution, early informal resolution and paper hearings. The Division continued to find administrative efficiencies that helped reduce the average processing time through proactive case management by standardizing its business process and the use of scheduling strategies for similar case types. The IAD continued to respond in a flexible manner to match resources with regional caseloads by sharing decision-makers among regions and holding hearings by way of videoconference where appropriate.

BUDGETARY FINANCIAL RESOURCES (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
15,099,168	15,099,168	16,321,443	15,889,895	790,727

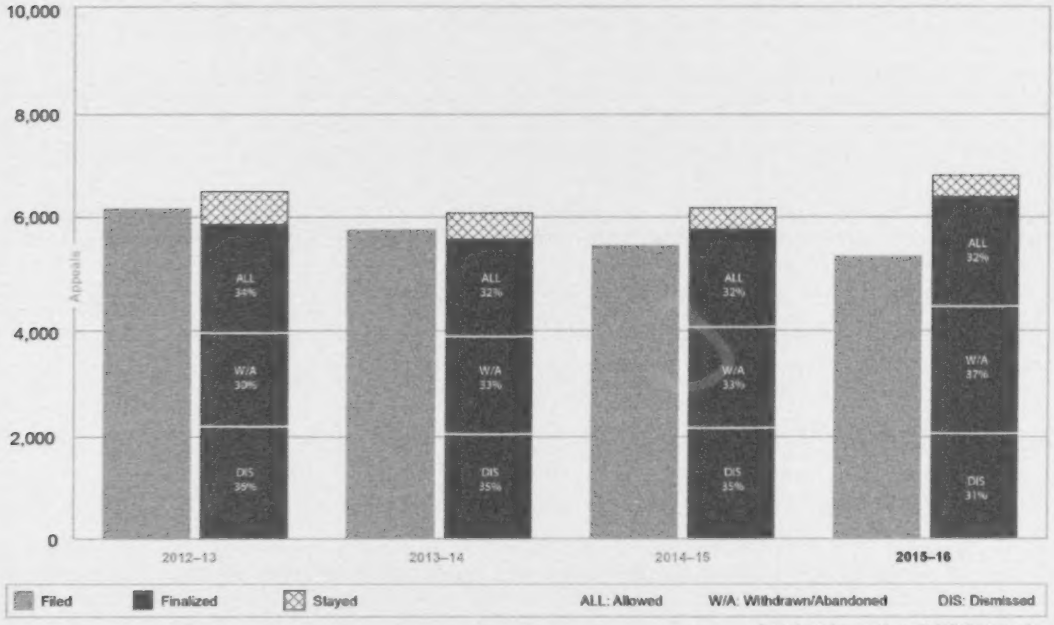
HUMAN RESOURCES (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
120	120	0

PERFORMANCE RESULTS

Expected Results	Performance Indicators	Targets	Actual Results
Cases are resolved through proceedings that are focused and respectful and decisions that are transparent and intelligible	The average score of proceedings measured on a 1-to-3 scale for being respectful and focused, and of decisions that are clear, concise and complete	2.0	2.8
Timely decisions rendered	Percentage of appeals finalized compared to appeals filed	80%	121%

Immigration Appeal Performance



Note: The totals may not be exactly 100% due to rounding.

INTERNAL SERVICES

DESCRIPTION

Internal Services are groups of related activities and resources that are administered to support the needs of programs and other corporate obligations of an organization. Internal Services include only those activities and resources that apply across an organization, and not those provided to a specific program. The groups of activities are Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; and Acquisition Services.

PERFORMANCE ANALYSIS AND LESSONS LEARNED

Internal Services contributes to and supports the achievement of the IRB's strategic outcome. In 2015–16, the IRB ensured that appropriate human and financial resources as well as technological, information management and training tools were in place to support the IRB's strategic and ongoing priorities. The Board continued to ensure that information technology and information management practices were aligned with TBS policies, to the extent practicable and appropriate given the IRB's status as a quasi-judicial tribunal.

The Board developed innovative and legally sound adjudicative strategies, facilitated training and provided support to decision-makers, which allowed the IRB to finalize cases in a timely manner while ensuring quality and fairness. The IRB also modernized and implemented a focused, experiential training program for new decision-makers to support improvement in the quality and efficiency of decision-making. It provided legal advice and support to all four of the IRB's divisions in an effort to contribute to the quality of decisions, fairness and efficiencies, as well as to provide full legal support to all corporate internal services.

To manage performance, the IRB completed or was in the process of completing evaluations of its delivery of the refugee determination system as well as other initiatives such as the evaluation of a pilot to provide transcripts of RPD hearings in RAD proceedings. In addition, a methodology was developed to measure quality in RAD proceedings that will be tested in the coming year.

The IRB provided relevant and timely access to information to internal and external audiences and, as a result, continued to engage its key partners, stakeholders and the public.

As part of its commitment to build an organization that values its people and promotes management excellence, the IRB continued to prioritize human resources management. In particular, it reinforced the Board's ethical practices and culture by providing mandatory training to most personnel on values and ethics and on creating a respectful and harassment-free workplace. The Board launched the Quality Workplace Commitment initiative as its response to the findings of the 2014 PSES and to other IRB employee consultation mechanisms. This action plan aims to build a healthier, more inclusive and supportive work environment for all IRB personnel. Additionally, the Board continued its implementation of ongoing public service-wide modernization initiatives such as those focusing on human resources systems, financial systems, and information and technology management initiatives. The Board stayed on course and completed the third year of a multi-year classification cyclical review to ensure work description accuracy. The Board continued to capitalize on efficiencies, ongoing improvement activities and costs savings resulting from the implementation of business process transformation initiatives.

The IRB completed new Threat and Risk Assessments for all IRB-controlled premises and introduced comprehensive security policies to improve safety and security for personnel and the public at those locations.

BUDGETARY FINANCIAL RESOURCES (dollars)

2015–16 Main Estimates	2015–16 Planned Spending	2015–16 Total Authorities Available for Use	2015–16 Actual Spending (authorities used)	2015–16 Difference (actual minus planned)
28,714,783	28,714,783	31,919,735	31,594,311	2,879,528

HUMAN RESOURCES (FTEs)

2015–16 Planned	2015–16 Actual	2015–16 Difference (actual minus planned)
240	242	2

SECTION IV
Supplementary Information

SUPPLEMENTARY INFORMATION TABLE

The following supplementary information table is available on the IRB's website.[i]

- Organizational Sustainable Development Strategy[x]

FEDERAL TAX EXPENDITURES

The tax system can be used to achieve public policy objectives through the application of special measures such as low tax rates, exemptions, deductions, deferrals and credits. The Department of Finance Canada publishes cost estimates and projections for these measures annually in the *Report on Federal Tax Expenditures*.[xi] This report also provides detailed background information on tax expenditures, including descriptions, objectives, historical information and references to related federal spending programs. The tax measures presented in this report are the responsibility of the Minister of Finance.

ORGANIZATIONAL CONTACT INFORMATION

For more information, visit the IRB website[i] or contact the IRB through either the Contact Us[xii] webpage, Twitter: @IRB_Canada or at the address indicated below.

Immigration and Refugee Board of Canada
Minto Place—Canada Building
344 Slater Street, 12th Floor
Ottawa, Ontario K1A 0K1

Appendix Definitions

appropriation *(crédit)*: Any authority of Parliament to pay money out of the Consolidated Revenue Fund.

budgetary expenditures *(dépenses budgétaires)*: Include operating and capital expenditures; transfer payments to other levels of government, organizations or individuals; and payments to Crown corporations.

Departmental Performance Report *(rapport ministériel sur le rendement)*: Reports on an appropriated organization's actual accomplishments against the plans, priorities and expected results set out in the corresponding Report on Plans and Priorities. These reports are tabled in Parliament in the fall.

full-time equivalent *(équivalent temps plein)*: Is a measure of the extent to which an employee represents a full person-year charge against a departmental budget. Full-time equivalents are calculated as a ratio of assigned hours of work to scheduled hours of work. Scheduled hours of work are set out in collective agreements.

Government of Canada outcomes *(résultats du gouvernement du Canada)*: A set of 16 high-level objectives defined for the government as a whole, grouped in four spending areas: economic affairs, social affairs, international affairs and government affairs.

Management, Resources and Results Structure *(Structure de la gestion, des ressources et des résultats)*: A comprehensive framework that consists of an organization's inventory of programs, resources, results, performance indicators and governance information. Programs and results are depicted in their hierarchical relationship to each other and to the Strategic Outcome(s) to which they contribute. The Management, Resources and Results Structure is developed from the Program Alignment Architecture.

non-budgetary expenditures *(dépenses non budgétaires)*: Include net outlays and receipts related to loans, investments and advances, which change the composition of the financial assets of the Government of Canada.

performance *(rendement)*: What an organization did with its resources to achieve its results, how well those results compare with what the organization intended to achieve and how well lessons learned have been identified.

performance indicator *(indicateur de rendement)*: A qualitative or quantitative means of measuring an output or outcome, with the intention of gauging the performance of an organization, program, policy or initiative respecting expected results.

performance reporting *(production de rapports sur le rendement)*: The process of communicating evidence-based performance information. Performance reporting supports decision making, accountability and transparency.

planned spending *(dépenses prévues)*: For Reports on Plans and Priorities (RPPs) and Departmental Performance Reports (DPRs), planned spending refers to those amounts that receive Treasury Board approval by February 1. Therefore, planned spending may include amounts incremental to planned expenditures presented in the Main Estimates.

A department is expected to be aware of the authorities that it has sought and received. The determination of planned spending is a departmental responsibility, and departments must be able to defend the expenditure and accrual numbers presented in their RPPs and DPRs.

plans *(plan)*: The articulation of strategic choices, which provides information on how an organization intends to achieve its priorities and associated results. Generally a plan will explain the logic behind the strategies chosen and tend to focus on actions that lead up to the expected result.

priorities *(priorité)*: Plans or projects that an organization has chosen to focus and report on during the planning period. Priorities represent the things that are most important or what must be done first to support the achievement of the desired Strategic Outcome(s).

program *(programme)*: A group of related resource inputs and activities that are managed to meet specific needs and to achieve intended results and that are treated as a budgetary unit.

Program Alignment Architecture *(architecture d'alignement des programmes)*: A structured inventory of an organization's programs depicting the hierarchical relationship between programs and the Strategic Outcome(s) to which they contribute.

Report on Plans and Priorities *(rapport sur les plans et les priorités)*: Provides information on the plans and expected performance of appropriated organizations over a three-year period. These reports are tabled in Parliament each spring.

result *(résultat)*: An external consequence attributed, in part, to an organization, policy, program or initiative. Results are not within the control of a single organization, policy, program or initiative; instead they are within the area of the organization's influence.

statutory expenditures *(dépenses législatives)*: Expenditures that Parliament has approved through legislation other than appropriation acts. The legislation sets out the purpose of the expenditures and the terms and conditions under which they may be made.

Strategic Outcome *(résultat stratégique)*: A long-term and enduring benefit to Canadians that is linked to the organization's mandate, vision and core functions.

sunset program *(programme temporisé)*: A time-limited program that does not have an ongoing funding and policy authority. When the program is set to expire, a decision must be made whether to continue the program. In the case of a renewal, the decision specifies the scope, funding level and duration.

target *(cible)*: A measurable performance or success level that an organization, program or initiative plans to achieve within a specified time period. Targets can be either quantitative or qualitative.

voted expenditures *(dépenses votées)*: Expenditures that Parliament approves annually through an Appropriation Act. The Vote wording becomes the governing conditions under which these expenditures may be made.

Whole-of-Government Framework *(cadre pangouvernemental)*: Maps the financial contributions of federal organizations receiving appropriations by aligning their Programs to a set of 16 government-wide, high-level outcome areas, grouped under four spending areas.

Endnotes

i. IRB website, www.irb-cisr.gc.ca.

ii. *Immigration and Refugee Protection Act*, www.laws-lois.justice.gc.ca/eng/acts/I-2.5/index.html.

iii. Public Accounts of Canada 2016, www.tpsgc-pwgsc.gc.ca/recgen/cpc-pac/index-eng.html.

iv. Whole-of-government framework, www.tbs-sct.gc.ca/ppg-cpr/frame-cadre-eng.aspx.

v. Financial Statements, www.irb-cisr.gc.ca/eng/boacom/pubs/pages/etafinsta1516.aspx.

vi. Refugee Protection Division, www.irb-cisr.gc.ca/eng/refcladem/pages/rpdspr.aspx.

vii. Refugee Appeal Division, www.irb-cisr.gc.ca/eng/refapp/pages/radsar.aspx.

viii. Immigration Division, www.irb-cisr.gc.ca/eng/detention/pages/idsi.aspx.

ix. Immigration Appeal Division, www.irb-cisr.gc.ca/eng/immapp/pages/iadsai.aspx.

x. Organizational Sustainable Development Strategy, www.irb-cisr.gc.ca/eng/boacom/pubs/pages/dprrmr1516strat.aspx.

xi. *Report on Federal Tax Expenditures*, www.fin.gc.ca/purl/taxexp-eng.asp.

xii. Contact Us, www.irb-cisr.gc.ca/eng/contact/pages/index.aspx.